

**CONFERENCE COMMITTEE REPORT  
DIGEST FOR ESB 310**

**Citations Affected:** IC 1-1-7-1.

**Synopsis:** Proof of mailing. Conference committee report for ESB 310. Provides that if a law or a rule requires a mailing by registered mail or certified mail, a person may use: (1) any service of the United States Postal Service or any services of any designated private delivery service (as defined by the United States Internal Revenue Service) that: (A) tracks the delivery of mail; and (B) requires a signature upon delivery; or (2) delivery by an employee of the unit of government sending the notice. Provides required notice procedures to follow if the mailed notice is returned undelivered. **(This conference committee report provides that delivery must be made by the United States Postal Service, any private delivery services as defined by the United States Internal Revenue Service, or an employee of the unit of government sending the notice. This conference committee report provides that procedures to be followed if the mailed notice is returned undelivered do not apply if rules adopted by the supreme court apply.)**

**Effective:** July 1, 2007.

Adopted

Rejected

## CONFERENCE COMMITTEE REPORT

**MR. SPEAKER:**

*Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 310 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 1-1-7-1 IS AMENDED TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2007]: Sec. 1. **(a)** If a statute enacted by the
- 4 general assembly or a rule, as defined by IC 4-22-2-3, requires that
- 5 notice or other matter be given or sent by registered mail **or certified**
- 6 **mail**, a person may use: ~~certified mail as established by the United~~
- 7 ~~States Postal Service to comply with the law or rule:~~
- 8 **(1) any service of the United States Postal Service or any**
- 9 **service of a designated private delivery service (as defined by**
- 10 **the United States Internal Revenue Service) that:**
- 11 **(A) tracks the delivery of mail; and**
- 12 **(B) requires a signature upon delivery; or**
- 13 **(2) delivery by an employee of the unit of government sending**
- 14 **the notice;**
- 15 **to comply with the statute or rule.**
- 16 **(b) If means of giving notice is not covered by rules adopted by**
- 17 **the supreme court and if a notice or other matter sent as described**
- 18 **in subsection (a) is returned undelivered, the notice or other matter**
- 19 **must be given by:**
- 20 **(1) delivering a copy of the notice or other matter to the**
- 21 **person to whom the notice or other matter must be given**
- 22 **personally;**

- 1           **(2) leaving a copy of the notice or other matter at the dwelling**
- 2           **house or usual place of abode of the person to whom the**
- 3           **notice or other matter must be given;**
- 4           **(3) sending by first class mail a copy of the notice or other**
- 5           **matter to the last known address of the person to whom the**
- 6           **notice or other matter must be given; or**
- 7           **(4) serving the agent of the person to whom the notice or other**
- 8           **matter must be given as provided by rule, statute, or valid**
- 9           **agreement.**

(Reference is to ESB 310 as printed April 6, 2007.)

**Conference Committee Report**  
**on**  
**Engrossed Senate Bill 310**

**S**igned by:

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Senator Hershman  
Chairperson

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Representative Grubb

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Senator Broden

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Representative Richardson

**Senate Conferees**

**House Conferees**